

THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

**MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL  
PROTECTION**

ONE WINTER STREET  
BOSTON, MASSACHUSETTS 02108



**Request for Grant Proposal**

**WETLANDS CIRCUIT RIDER  
COMPETITIVE GRANT**

**Document Number: BWR 2018-02  
COMMBUYS #: BD-18-1045-BWR00-BWR01-18886**

REQUEST FOR GRANT PROPOSAL  
Wetlands Circuit Rider Sponsor  
RFR # BWR 2018-02  
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<b>Grantor</b>	<b>Massachusetts Department of Environmental Protection (MassDEP or the Department)</b>
<b>Address</b>	<b>One Winter Street</b>
<b>City, State Zip Code</b>	<b>Boston, MA 02108</b>
<b>Grantor Contact</b>	<b>Michael Stroman</b>
<b>Telephone Number</b>	<b>(617) 292-5526</b>
<b>Fax Number</b>	<b>(617) 292-5696</b>
<b>E-Mail Address</b>	<a href="mailto:Michael.stroman@state.ma.us"><u>Michael.stroman@state.ma.us</u></a>
<b>Grant Name</b>	<b>Wetlands Circuit Rider Sponsor Joint Venture</b>
<b>Grant Request Number</b>	<b>BWR 2018-02</b>
<b>Procurement Category</b>	<b>Competitive Grant</b>

**1. Description And Purpose of Competitive Grant Process**

Through this competitive grant process, MassDEP is soliciting proposals from qualified public, quasi-public, and not for profit organizations (collectively “organizations”) to act as “Sponsors” to supply MassDEP with Circuit Rider services to all municipal locations that are served by the Department’s Northeast Regional Office,

<http://www.mass.gov/eea/agencies/massdep/about/contacts/northeast-region.html#CitiesTownsInTheNortheastRegion2> and Southeast Regional Office

<http://www.mass.gov/eea/agencies/massdep/about/contacts/southeast-region.html#CitiesTownsInTheSoutheastRegion2>. Circuit Riders act as agents of the Department, and assist the agency in its mission to provide regulatory interpretation, education assistance and technical support to local municipalities in all aspects of wetlands compliance and enforcement activities, with a particular emphasis on providing regulatory, educational, and technical support to local Conservation Commissions to facilitate compliance with the Commonwealth’s Wetlands Protection Act and the Public Waterfront Act.

MassDEP seeks organizations whose public mission includes wetlands protection and that do not perform permitting activities before Conservation Commissions or MassDEP.

MassDEP’s goal through this competitive grant process is to enter into a joint venture with the selected organization acting as the “Sponsor” for Circuit Rider services, in order to effectuate MassDEP’s public mission to support municipalities in the administration of its environmental mandates, with a particular emphasis upon wetlands protection, as described in this solicitation. After selection through this competitive grant process, the organization

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will Sponsor qualified Circuit Rider personnel to perform services to efficiently and effectively facilitate MassDEP's administration of its statutory and regulatory requirements.

**Background: Overview of MassDEP's Wetlands and Waterways Program**

The mission of the Wetlands and Waterways Program (W/W program) is to administer the Wetlands Protection Act (WPA) M.G.L. c. 131, s.40. The WPA regulates land use and development in and around wetlands to preserve and protect the statutory interests of flood control, prevention of pollution and storm damage, and protection of public and private water supplies, groundwater supply, fisheries, land containing shellfish, and wildlife habitat. The statutory protections afforded by the WPA also extend to land subject to flooding (100-year floodplains), the riverfront area, land under water bodies, waterways, salt ponds, fish runs, and the ocean. As part of the administration of the Act, MassDEP administers regulations (310 CMR 10.00 et seq.) which are amended from time to time. MassDEP also implements policies, and provides policy, procedural and technical training as well as outreach and assistance to municipal conservation commissions. Conservation commissions play an integral role in the implementation of the WPA. Municipal conservation commissions are volunteer boards of three to seven members appointed by the selectmen or city council that sometimes have support by administrative and/or technical staff. The W/W Program serves as an appellate agency that oversees the local administration of the law and hears appeals of decisions made by commissions.

The W/W Program also administers the Massachusetts Public Waterfront Act, M.G.L. C. 91, the waterways licensing program. This law serves as the Commonwealth's primary tool for protection and promotion of public use of its tidelands and other waterways. The Commonwealth's "public trust doctrine" is the oldest program of its kind in the nation, regulating activities on both coastal and inland waterways, including construction, dredging and filling in tidelands, Great Ponds and certain rivers and streams. Through Chapter 91, the Commonwealth seeks to preserve and protect the rights of the public, and to guarantee that private uses of tidelands and waterways serve a proper public purpose including preservation of public pedestrian access and navigation rights. The statute also encourages the development of Municipal Harbor Plans to promote tidelands as a workplace for water dependent uses including commercial fishing, shipping, passenger transportation, boat building and repair, marinas and other activities for which proximity to the water is either essential or highly advantageous. Activities subject to review include construction of structures, filling, and dredging on, over, or in, flowed tidelands, formerly filled tidelands, Great Ponds, and non-tidal waterways. Knowledge of Chapter 91 and the waterways licensing program is desired, but not required of the successful Circuit Rider candidate.

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**The Circuit Rider Role**

Circuit Riders (CRs) provide critical assistance to both the W/W Program and municipalities. CRs report to the W/W Program Section Chief or their designee in the MassDEP regional offices and serve as the liaison between MassDEP and municipalities by providing outreach, training, and technical assistance on the effective administration of the WPA to local conservation commissions, consultants and applicants. The CR's technical assistance can include providing public outreach on a wide range of topics including: registration guidance for on-line eDEP applications, field plant identification and wetland delineation, stormwater control, enforcement guidance, forestry and agricultural exemptions, dock and pier permitting, site plan reading and interpretation, permitting procedural requirements, and project development issues to ensure compliance with environmental performance standards.

CRs are often the primary contact between municipalities and MassDEP. As such, CRs serve as the go-to MassDEP representatives for municipal officials when seeking assistance on a broad range of regulatory and environmental protection matters. As the MassDEP representatives who interact on a daily basis with municipal officials, Circuit Riders provide MassDEP with a unique and visible face in multiple communities across the Commonwealth. CRs establish personal networks in each municipality that facilitate reliable communications to ensure trustworthy two-way communication between MassDEP and municipal officials. CRs are uniquely positioned to address a wide range of local environmental issues related to critical MassDEP W/W Program functions, including regulatory interpretations, technical assistance, and compliance and enforcement matters. It is helpful for CRs to also have knowledge of related environmental laws, including the Massachusetts Public Waterfront Act (Chapter 91), the Commonwealth's Water Management Act and Title 5 (e.g. guidance and training for local Boards of Health), as well as the Federal Safe Drinking Water Act. CRs serve as effective points-of-contact who are critical to MassDEP's efficient administration of increasingly complex environmental protection efforts in the Commonwealth.

**2. Applicable Procurement Law**

This competitive grant is issued under the following laws: MGL c. 7A, § 7; St. 1986 c. 206, § 17; 815 CMR 2.00. (Grants)

**3. Compensation Method:** Cost Reimbursement.

**4. Expected Duration of Contract (Initial Duration and any Options to Renew):** The initial Contract term will be from the date of award (currently estimated to be on or about October 16, 2017), through the end of Fiscal Year 2018 (i.e., June 30, 2018). MassDEP reserves the option to renew this contract, on an annual basis, for up to five (5) renewal terms, for a

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maximum contract term of approximately six (6) years, depending on the availability of funding and the Department's satisfaction with the services provided.

**5. Anticipated Expenditures, Funding or Compensation:**

Estimated Value of Procurement: \$200,000 annually

**6. Estimated Procurement Calendar**

Procurement Activity	Date	Time
Notice of Grant Opportunity (posted on COMMBUYS)	Thursday, August 10, 2017	
Wetlands Circuit Rider Competitive Grant Program Posting Date on MassDEP website	Thursday, August 10, 2017	
Deadline for Submission of Questions to MassDEP at <a href="mailto:Michael.stroman@state.ma.us">Michael.stroman@state.ma.us</a>	Monday, August 21, 2017	<b>5 P.M.</b>
Official Answers for Bid Q&A published on MassDEP's website (Estimated)	Monday, August 28, 2017	
<b>Grant application RESPONSES DUE to MassDEP at</b> <a href="mailto:Michael.stroman@state.ma.us">Michael.stroman@state.ma.us</a>	Monday, September 25, 2017	<b>5 P.M.</b>
Interview(s) of Sponsors is optional (Estimated Date with interviews of Circuit Rider Candidates to follow)	Week of October 2, 2017	
Notification of Grant Award (Estimated) (POSTED ON COMMBUYS)	Monday, October 16, 2017	
<b>Estimated Contract Start Date</b>	<b>Monday, October 23, 2017</b>	

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**7. Joint Venture Grant Proposal:**

MassDEP is soliciting proposals from qualified organizations to provide Circuit Rider services in municipal locations that are served by the Department's Northeast and Southeast Regional Offices.

<http://www.mass.gov/eea/agencies/massdep/about/contacts/northeast-region.html#CitiesTownsIntheNortheastRegion2>

<http://www.mass.gov/eea/agencies/massdep/about/contacts/southeast-region.html>

Organizations responding to this proposal must demonstrate that they are qualified to provide these services, and can provide experienced personnel capable of performing the following Circuit Rider responsibilities on behalf of MassDEP as assigned by the MassDEP Section Chief or his/her designee or upon request by municipal Conservation Commissions:

- Conduct and participate in meetings (including nights and weekends) with local boards, commissions, and conservation agents to assist interpreting regulations, policies and guidance.
- Conduct training workshops and assist in making presentations at other forums that will provide an opportunity to explain the regulations.
- Respond to requests for information from conservation commissions, the public, and other concerned parties in writing, electronically and via telecommunications.
- Provide technical assistance to conservation commissions on wetlands enforcement and compliance issues.
- Provide feedback from local conservation commissions to MassDEP's Wetlands & Waterways Program Chiefs, Regional Wetlands Section Chiefs on wetlands and other related issues.
- Represent MassDEP at the Massachusetts Association of Conservation Commission's Annual Conference.
- (Preferred/Desired specification) Develop a working knowledge of other MassDEP programs, particularly the Massachusetts Public Waterfront Act (Chapter 91), the Water

Management Act, the Federal Safe Drinking Water Act, Title 5, and other Water Pollution Control Programs in order to assist and facilitate local municipal compliance, enforcement and implementation of these regulatory programs.

- Perform other duties as required.

The selected organization would ideally Sponsor one full-time, qualified (as determined by MassDEP) individual to each region to provide Circuit Rider services for that region. MassDEP will consider proposals to provide a single full time, qualified individual to provide services for both regions. The individuals MUST be available to attend night and weekend meetings. The Circuit Rider will report to the Regional Wetlands Section Chief or his/her designee and is expected to use MassDEP(s) office(s) as the primary work location.

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MassDEP will provide Circuit Riders with flexible work schedules to accommodate the mix of work performed during regular business hours and night/weekend activity. Typical work weeks will total 37.5 hours, but work weeks may exceed 37.5 hours on occasion as necessary. Daily work schedules are flexible. While the majority of work week hours are expected to be undertaken between 9:00 a.m. – 5:00 p.m. in the MassDEP Regional Offices, certain work weeks may involve evening and weekend hours. In such cases, a typical work week may comprise some combination of the following hours: in-office daytime (26-40 hours), weekday evenings (4-12 hours), and/or weekend (2-4 hours). MassDEP will provide a workstation in each region for the Circuit Rider that includes a personal computer with internet access, phone, and office equipment. About half of the hours available under the contract must be provided in each of the Northeast and Southeast Regional Offices.

The work involves extensive travel within the jurisdiction. The Commonwealth does NOT provide a vehicle or transportation. Travel mileage is estimated to be 75-125 miles per week.

Circuit Rider Performance Measures (after Contract Award):

After Contract Award, each Circuit Rider's performance will be measured and evaluated based on the following annual metrics per Regional Office:

- 1) Responses to e-mails, phone calls and to walk-in requests on wetland related questions (typically 500 per year)
- 2) Conservation Commission Meetings and Site visits (typically 30 per year)
- 3) Regulatory, Policy, Technical Workshops and Network Meetings (typically 6 per year)
- 4) Regional Wetland Permitting and Related Activities (typically 100 per year)
- 5) Serve as the MassDEP representative at Task Force Meetings, Conferences, state or federal agency coordination related to technical wetlands outreach and training as needed. (typically 4 per year)
- 6) Other performance measures as determined by MassDEP during the contract term.

**8. Format of Grant Proposal Response:**

Each organization's Response package must include the following information:

- A brief description of the organization, highlighting its mission, purpose, and experience with the Massachusetts Wetlands Protection Act, as well as working knowledge of other MassDEP regulatory programs described in this solicitation.
- A copy of the organization's current Secretary of State corporate filing.

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- The names and resumes of proposed qualified circuit riders. Ideally, the proposal will include multiple names and resumes for each region, in order to permit MassDEP to select the most qualified individuals after evaluation. MassDEP will make its final selection for contract award based upon a review of the resumes and interviews with all or selected individuals who are proposed to be MassDEP Circuit Riders. A qualified individual must demonstrate knowledge of wetland science, principles of erosion and sedimentation control, familiarity with the Wetlands Protection Act, M.G.L. c. 131, Section 40 and the Wetlands Regulations at 310 CMR 10.00. The selected individuals must possess a valid driver's license at the time of grant award.

- Cost Proposal: Please submit a cost proposal with the following elements:

**Cost Category**

Direct Costs

Personnel –

Hourly Rate Day (9:00 a.m. -5:00 p.m.)

Hourly Rate Evening (M-F after 5:00 p.m.) if different from day rate

Hourly Rate Weekend (Saturday/Sunday) if different from day rate

Fringe Rate (direct costs for health insurance, pension, medicare payroll tax, unemployment insurance)

Travel – Direct cost of CR travel

Other Direct – Please provide detail

Indirect Costs

Sponsor Overhead/Indirect Rate

- **Additional Required Documentation:**

Additional Forms: If selected for a grant award, the organization will be required to submit the following forms to complete the contracting process. Forms with an asterisk \* need not be submitted, if they have been completely previously and are already on file with the Commonwealth:

[Commonwealth Standard Contract Form](#), filled out and signed by the applicant

[Commonwealth Terms and Conditions](#)\* filled out and signed by the applicant

[Commonwealth W-9 tax information form](#) filled out and signed by the applicant with DUNS number and Federal Tax ID\*

[Completed Contractor Authorized Signature Verification Form](#)

[Electronic Funds Transfer \(EFT\) form](#)\*

Applicants are encouraged to review these forms prior to submission of a response.



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**9. Evaluation Criteria**

Organizations must submit responses that meet all the submission requirements of this competitive grant solicitation. Only responsive proposals that meet the submission requirements will be evaluated, scored and ranked by the evaluation team according to the evaluation criteria.

Responses will be evaluated based upon the following criteria:

- Administrative completeness of the Response;
- The experience of the responsive organization, including a description of the organization's environmental mission and purpose;
- Qualifications of proposed individual(s); this evaluation component will include interviews of some or all selected candidates and/or the Sponsoring Organization;

**10. Cost:** MassDEP intends to award the contract to the organization that provides the best value in terms of maximum service for the available resources. The organizational overhead charge will weigh heavily in the cost evaluation. Organizations must indicate in their Responses all pertinent elements of the proposed rates, as described in the submission requirements above.

**11. Instructions for Submission of Responses:**

**A. HOW TO SUBMIT A paper response**

**Instructions— organizations must submit their response in a sealed envelope that is clearly marked with the Grant Proposal reference number BWR-2018-03, by RESPONSE DEADLINE, to the following address:**

Massachusetts Department of Environmental Protection  
One Winter Street, 5<sup>th</sup> Floor  
Boston, MA 02108  
ATTN: Michael Stroman  
Telephone: 617-292-5526  
E-Mail: [Michael.stroman@state.ma.us](mailto:Michael.stroman@state.ma.us)

Responses must be submitted in a sealed envelope and include **one (1)** original signed copy, **one (1)** CD copy, and **four (4)** duplicate copies.

**Response Deadline**— Responses are due no later than Monday, **September 25, 2017 at 5:00 P.M.** and **MUST** be mailed or hand delivered to the address listed above.

**LATE RESPONSES WILL NOT BE CONSIDERED.**